



Office of the Attorney General
State of Texas

October 7, 1991

DAN MORALES
ATTORNEY GENERAL

Ms. Dorothy G. Palumbo
Assistant City Attorney
The City of Midland
P. O. Box 1152
Midland, Texas 79702-1152

OR91-468

Dear Ms. Palumbo:

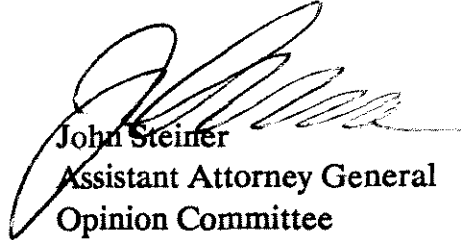
You have previously asked whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned RQ-5. Although this office originally intended to address this open records request in a formal Open Records Decision, for reasons explained below, we are now answering your inquiry in this informal open records ruling.

You sought an open records decision from this office pursuant to section 7(c) of the act. Consequently, this office notified representatives of Motorola that we received your request for an open records decision regarding Motorola's equipment price lists and installation services constitute trade secrets for purposes of section 3(a)(10) of the Open Records Act. In our letter to Motorola, this office requested an explanation as to why portions of their proposal to the city were excepted from public disclosure, with the caveat that their failure to do so within a reasonable time would result in this office instructing you to disclose the information.

More than fourteen days have elapsed since this office issued it notice, but Motorola has failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. See Open Records Decision No. 552 (1990). Because neither you nor Motorola have con-

tended to this office that the requested information should be withheld, you should release the information at this time.

Yours very truly,



John Steiner
Assistant Attorney General
Opinion Committee

JS/RWP/lcd

Ref.: ID# 11330
ID# 12746

Enclosures: Submitted documents

cc: Johnnie Halbrooks
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Lubbock, Texas 79490